

JUDICIAL BRANCH

Travel Regulations

Effective Date: April 15, 2018

PURPOSE

Travel is necessary to conduct Judicial Branch business inside and outside the territory. The Judicial Branch expects to incur reasonable, necessary, actual, and prudent travel expenses. Travel expenses paid by the Judicial Branch must be properly authorized, appropriately documented with a clear business purpose, and comply with the guidelines of these regulations.

SECTION 1 – APPLICABILITY

These regulations apply to:

- (a) Justices, Judges, Magistrate Judges, and other officers and employees of the Judicial Branch;
- (b) Uncompensated volunteers or interns who take the oath of office as employees;
- (c) Consultants or experts serving without pay;
- (d) Applicants for the position of Administrator of Courts, Clerk of the Court, General Counsel, Chief Marshal, Chief Financial Officer, Strategic Services Director, Director of Bar Admissions, Clerk of Court, Human Capital Director, Chief Disciplinary Counsel or any Senior Management or Tier 1 position within the Judiciary. The applicant may be reimbursed for transportation and per diem on an actual basis or lesser amount as determined by the designated authority but may not exceed the amounts specified in the regulations. The number of candidates must be limited to the final three candidates.
- (e) Judicial Branch nominees for the positions of Justice, Judge, or Magistrate Judge when traveling to attend orientation programs or trainings prior to confirmation or date of administration of oath of office.

SECTION 2 – DEFINITIONS

- (a) “Allowable Expenses”: The following expenses are allowable under the expense procedures:
 - 1. Lodging, including expenses for overnight sleeping facilities and personal use of a room during the daytime when necessary.
 - 2. Meals, consisting of expenses for breakfast, lunch and dinner. Specifically excluded are alcoholic beverages, entertainment expenses, and any expenses incurred for employee and/or other persons.
 - 3. Incidentals such as fees and tips to waiters and waitresses, porters, baggage carriers, bellhops, hotel maids, taxi drivers, dining room stewards or stewardesses and others. Service based tips shall not exceed 18%.

4. Personal laundry, cleaning and pressing of clothing for travel that involves at least four consecutive nights. Such incidentals shall be reasonable and shall not in any event exceed \$15 per day.
 5. Service charges regularly imposed by a place of lodging when such charges are not included in the room rate.
 6. Telephone calls, e-mail, internet and facsimile charges incurred for official business.
 7. Local transportation including that necessary for the usual trips between places of lodging, places of transacting business and places meals are taken when not otherwise reimbursable. This may include use of a rental car in accordance with Section 8. Road, bridge, and tunnel tolls are also allowed.
 8. Registration Fees and advance room deposits when required by the lodging facility to secure a room reservation, prior to the beginning of travel. However, if reimbursed for the registration fee or the advance room deposit and the travel is not completed for reasons not acceptable to the designated authority, resulting in the forfeiture of the deposit, the employee will be indebted to the Court for that amount and must repay it within ten (10) working days.
 9. Taxes, interest and service charges on any of the expenses in items 1 through 8 of this subsection. In the case of items which were charged by the employee on their personal credit/debit card and remained unreimbursed for more than 30 days after a final, fully supported request for reimbursement has been timely submitted to Budget and Accounting Services, interest and late fees in the amount charged to the employee for the approved expenses may be reimbursed.
 10. In addition to the expenses in items 1 through 9 of this subsection, reimbursement may be made at the discretion of the Administrator for any other discretionary services which may be enumerated in the account. Approval of such expenses shall be submitted in writing to the Administrator within five (5) working days of the conclusion of travel with an explanation of the necessity for such expenses and provisions for the approval or denial of the request. A response will be forwarded to the traveler with a copy to Budget and Accounting Services.
- (b) "Constructive Cost" The total cost of transportation, meals, and incidental expenses that would have been incurred for travel had an employee traveled in the manner most cost effective to the Judicial Branch.
- (c) "Designated authority" refers to the Chief Justice and the Administrator of Courts or his/her designee.
- (d) "Official duty station."

1. Employees

Within the Virgin Islands, the “official duty station” of Judicial Branch personnel shall be the island on which such personnel spend a majority of their working hours. Outside the Virgin Islands, the “official duty station” of personnel shall be the corporate limits of the city or town in which they are stationed. Personnel shall have only one official duty station. Personnel shall be on “duty status” when they are performing their official duties.

2. Volunteers/Interns

For the purpose of determining the allowances payable under these regulations, the official station of volunteers or interns, who travel at the request of the Court, will be the Court location where the individual is stationed.

- (e) “Temporary Duty Station”: A place away from an employee’s official duty station, where the employee is authorized to travel.
- (f) “Travel expenses” means allowable transportation expenses specified in Section 6, allowable communications expenses specified in Section 7, allowable per diem expenses specified in Section 8 and allowable expenses as defined in subsection (c) of Section 2.

SECTION 3 – AUTHORIZING AND APPROVING TRAVEL

An employee traveling on official business shall be provided with an allowance for all transportation expenses and shall exercise the same care in incurring expenses that a prudent person would exercise in traveling on personal business. Excess costs, services unnecessary or unjustified in the performance of official business are not acceptable under these regulations.

3.1 Travel Outside the Territory

All travel outside the territorial limits of the Virgin Islands shall be authorized in writing by the Administrator of Courts or in the case of justices, judges and magistrate judges, the Chief Justice through the Administrator of Courts. Requests for authorization and approval of travel outside the Territory should be submitted using the Travel Request form within a reasonable period of time prior to the contemplated travel. For purposes of this policy, requests submitted forty –five (45) days prior to the contemplated travel but not less than twenty-five (25) days prior to the contemplated travel shall be presumptively reasonable. The request shall include the name(s) of the traveler(s), purpose of travel, and the total cost with itemized supporting estimates. All travel requests are routed through the Office of the Administrator of Courts, who validates funding. A written explanation for late submissions is required.

3.2 Travel Within the Territorial Limits

All travel by employees within the territorial limits of the Virgin Islands shall be approved through and by the Office of the Administrator of Courts or in the case of justices, judges and magistrate judges, the Chief Justice through the Administrator of Courts. Requests

shall be made via electronic Travel Request Form. Requests must be made within a reasonable period of time before the contemplated travel. For purposes of this policy, requests submitted at least four (4) working days before contemplated travel shall be presumptively reasonable. The form will be electronically routed to the primary approving party then to the Office of the Administrator. Territorial travel by the Administrator must be approved by the Chief Justice.

3.3 Volunteers and Interns

Volunteers and interns generally are not expected to travel; however, if a situation arises which warrants the performance of official travel by an uncompensated employee, authorization must be obtained from the designated authority using OnBase and the Travel Request Form.

3.4 Investitures, Memorial Services, Building Dedications, Similar Ceremonies

In general, travel to attend memorial services, funerals, portrait hangings, building dedications, groundbreaking, investitures, and functions of a similar nature are not reimbursable as an official travel expense. Notwithstanding this general prohibition, employees and judicial officers may be authorized reimbursement for the expenses of travel to attend such an event under one of the following circumstances:

1. Where the Chief Justice designates a court executive or judicial officer to attend any such event as a representative of the Court;
2. Where the Chief Justice designates official representatives to attend the funeral or memorial service of a Justice, Judge, Magistrate Judge, or employee of the judiciary to sustain morale and reinforce to the Judiciary and others the significance of the deceased; or
3. Where the Chief Justice or Administrator authorizes one or more employees or judicial officers to attend an event for the purpose of coordinating the logistics for the event.

3.5 Travel Not Funded by Court

When funding for official travel is provided by another entity or source other than the Judicial Branch, the traveler must provide to the designated authority a copy of the entity's reimbursement policy or written authorization by an authorized representative of the funding organization. The Judicial Branch may provide a travel advance to employees in situations where a reimbursement from the entity will be made. In cases where a travel advance is provided, the employee or judicial officer is to arrange for reimbursement from the other entity or source to be made payable to the Judicial Branch of the Virgin Islands.

3.6 Commuting

The expense of commuting between an employee's residence and his/her official duty station is a personal expense. The Judicial Branch will not use Judicial Branch funds to pay for personal expenses.

3.7 Itemized Supporting Estimates

All anticipated and allowable associated expenses relative to the travel must be supported by documentation. Hotel quotes, registration fees and materials, transportation quotes from a travel agent, online transportation quotes if the employee is requesting to purchase their ticket(s) themselves, and meals at the per diem rate based on current U.S. General Services Administration (GSA) Standard Rates must be included. All supporting documentation must be electronically submitted and attached to the respective Travel Request form. Failure to upload the supporting documentation within a reasonable period of time will result in automatic denial of the request. For purposes of this policy, submission of supporting documents within five (5) working days shall be presumptively reasonable.

SECTION 4 - TRAVEL DOCUMENTS

4.1 Approval of Travel (Territorial and Outside the Territory)

Travel authorization for inter- island travel as well as travel outside the territory shall be contained in a "Government Transportation Request Authorization-Invoice Carrier Voucher (hereinafter "GTR"). The form shall be issued and approved prior to the incurrence of expenses, and shall specify the travel to be performed and the purpose thereof as specifically as circumstances will permit. Charges for service obtained by a GTR will be paid only when the duly approved GTR and a corresponding invoice is presented to Budget and Accounting Services.

4.2 Upon Completion of Travel

Travelers who receive advances of funds shall submit all claims, original receipts, or other documentation which fully account for all expenditures, other than per diem, made while traveling on Court business within (10) working days of completion of the authorized travel. The traveler shall submit, using OnBase, the following supporting documents within one complete package:

- Original receipts of the issued and used travel tickets or boarding passes;
- Claim for reimbursement of travel expenses along with original receipts, paid bills or similar documentary evidence showing proof of payment in chronological order by expenditure type (if applicable). Documentary evidence will generally be considered adequate to support an expenditure if it shows the dollar amount, date, name of vendor, place and business purpose of an expenditure.

Receipts are required for any individual item costing \$15 or more, other than per diem.

- An accounting of a cash advance (if applicable) on a Travel Expense Claim form that has been signed by the traveler or designee.
- A copy of the GTR and Miscellaneous Disbursement Voucher/Payment Voucher (MDV/PV) for cash advances if issued and applicable.

Failure to do so may result in disciplinary action, including denial of future travel and advances, suspension, or dismissal. Reimbursement claims viewed as intended to manipulate the intent of these Regulations or to be profitable to the employee will not be approved and may subject the employee to disciplinary action.

4.3 Travel Expense Claim Form

The Travel Expense Claim form is the responsibility of the traveler and serves as the basis for reimbursement of the travel expenses to the Court and accounting in the case of a travel advance. The Travel Expense Claim shall be submitted to Budget and Accounting Services not later than ten (10) working days after the termination of official travel status. Budget and Accounting Services will then prepare a Payment Voucher (hereinafter "PV") for reimbursement to the employee if required. Any unused advanced funds must be reimbursed to the Court in the form of a check or money order no later than five (5) working days after notification from Budget and Accounting Services of the amount due.

4.4 Lost/Missing Receipts

If for some reason a receipt or other similar documentary evidence (other than per diem which are not required and individual items less than \$15) is not available (and a duplicate cannot be obtained), or missing necessary information, the traveler should provide an explanation of the missing information and a written explanation for the absence of a more detailed documentation by affidavit in an approved form that is authorized by the Administrator. It must be noted however that the use of affidavits are intended to apply in limited circumstances and should be the exception rather than the norm. Repeated failure to provide original or other appropriate invoices and receipts may result in the employee being barred from travel on behalf of the Judicial Branch, repayment of advanced funds, and denial of reimbursement of unsupported items.

4.5 Travel Beyond 30 Days

When the duration of the trip is more than thirty days, claims shall be rendered monthly. Items in claims must appear in chronological order and all charges for the period covered must be included.

4.6 Emergency Travel

Whenever travel has been performed and expenses incurred without prior authority on account of an emergency, the Travel Expense Claim must be approved by the Chief Justice or the Administrator of Courts for travel as set forth in Sections 3.1 and 3.2. Such approval shall constitute the authority to reimburse documented expenses. The Travel Expense Claim submitted on account of such travel must contain a satisfactory statement of the facts constituting the necessity therefore.

4.7 Changes or Alterations

Once the designated authority has given written authorization for travel within or outside the territorial limits, the travel authorization is unalterable. In the event that a change becomes necessary, a new travel request indicating the desired change in travel must be re-

submitted using OnBase for approval. The original GTR, along with a letter of explanation must accompany the new travel request.

SECTION 5 - TRAVEL ADVANCES

5.1 Use and Limitation

Travelers may obtain advances of travel funds once approved by the designated authority. The advance shall not be less than 80% but may not exceed the total of the accommodations, ground and air transportation, registration fees, if applicable, per diem for applicable meals and incidentals per day during period of travel, and other allowable miscellaneous travel expenses unless otherwise authorized.

- (a) Travel advances are to be used only for official travel expenditures. Use of funds for personal or unauthorized expenditures is prohibited under any circumstances and subject to repayment and disciplinary action

5.2 Credit Cards as Means of Covering Travel Costs

Judicial Branch credit cards may only be used by the employee-cardholder to pay for authorized official business expenses, common carrier tickets and to minimize the need for travel advances.

5.3 Travel Beyond 30 Days

When a traveler is in a continuous travel status for a period of at least 30 days, an advance may cover the entire period of travel except if periodic reimbursement is required, in which case the amount advanced will cover only the period between projected voucher submissions.

5.4 Repayment/ Traveler Liability

Travelers are fully responsible and liable for repaying travel advances to the Judicial Branch as outlined in Section 4.3. Normally, this will be accomplished by applying the advance to the reimbursement due on the travel claim form, thus reducing the amount paid on the voucher to the difference between the allowable expenses and the advance received.

However, in the event the travel is cancelled or the allowable expenses are less than the advance, the traveler must repay any balance remaining even if the traveler loses the funds, has the funds stolen, loses receipts, or is otherwise unable to substantiate a claimed expense.

SECTION 6- ALLOWABLE TRANSPORTATION EXPENSES

6.1 Authorized Methods of Transportation

Transportation costs to be paid or reimbursed by the Judicial Branch shall include the cost of necessary official travel on official business by air, sea, rail, taxicab, and other usual means of conveyance, and the cost of baggage handling and transfer and travel insurance

where approved in advance. An allowance will be provided for transportation expenses and must be substantiated by original receipts.

- (a) All travel shall be by the most economical route, although travel by other routes may be allowed when the official necessity therefore is established to the satisfaction of the designated authority. In case a traveler travels by a less economical route for his own personal convenience, the traveler will conduct a constructive cost analysis to review what the cost of the trip would have been had the employee traveled in a manner most cost effective to the Judicial Branch and determine any extra expenses for analysis by Budget and Accounting Services. The extra expense(s) shall be borne by the traveler unless approved by the designated authority.
- (b) Except in the case of travel by the Chief Justice, the Presiding Judge and Associate Justices, Judges and Magistrates Judges who may, when appropriate as determined by the Chief Justice or designee, use first-class accommodations, all air travel shall be economy class, unless the traveler can demonstrate that first-class travel is more cost effective than an economy fare; and excursion fares, round-trip fares, advanced purchases and other reduced fares shall be employed whenever possible.
- (c) Travel other than air travel shall be at the lowest rate available, supported by proof of payment, method of travel, date, and rate, using reduced rates and round-trip tickets whenever possible.

6.2 Special Transportation or Conveyance

The hire or charter of a boat, aircraft, or other special conveyance will be allowed only in cases of emergency and when no public or regular means of transportation is available or when such regular means of transportation cannot be used advantageously in the interest of the Judicial Branch. In such a case, a statement authorizing the use of special transportation shall be inscribed on the face of the GTR.

Charges for the hire of a conveyance owned by other Judicial Branch personnel, or by a member of the traveler's family, or by a member of the family of other Judicial Branch personnel, will not be allowed in the absence of a satisfactory statement showing that the conveyance was not procured because of such personal or official relationship, that it was not practicable otherwise to procure adequate transportation, that the member of the family furnishing such conveyance was not dependent upon the traveler for support, and that the charges were reasonable.

6.3 Taxis

A receipt is required for taxi fares of \$15 or more. A reasonable tip may be claimed in addition to the fare. When one Judicial Branch employee pays the taxi fare for two or more employees sharing a taxi, a claim may be made by the employee for the full fare. Identification of other employees must be included on the receipt.

6.4 Rental Automobiles

- (a) The rental of an automobile outside the Territory may be approved in advance by the designated authority when it is demonstrated that the cost or the reimbursement sought for the rental of the automobile, including insurance, will be equal to or less than the anticipated expenses for other required transportation or when the Judicial Branch employee or officer agrees in writing to pay for any additional costs associated with the rental. When the use of a rental automobile is approved by the designated authority, liability and loss damage insurance coverage must be acquired by the traveler, failing which the traveler will be liable for any damages incurred. Additionally, only standard, compact, and economy vehicles will be rented unless the rental of a larger vehicle is more cost-effective or the result of a "free upgrade," or due to the number of travelers, a bigger size automobile is needed, which must be approved in writing by the designated authority prior to travel. If rental charges do not include the cost or other incidental expenses of operation (fuel and tolls), the employee should pay the costs and then itemize the expenses on the Travel Expense Claim form.
- (b) The expense of renting a portable Global Positioning System (GPS) device or upgrading to an automobile equipped with satellite navigation may be reimbursable when a traveler establishes official necessity, the rental or upgrade is advantageous to the Judicial Branch, and the designated authority approves it in advance of the travel.

6.5 Baggage

- (a) Baggage accompanying the traveler shall be reasonable based on the length and nature of the trip. As a general rule, travelers approved for travel within the Territory without overnight accommodations should limit their baggage to one personal item and/or one carry on, while travelers approved for overnight travel, or travel outside the Territory, may bring one checked bag (for itineraries of three days or less) or two checked bags (for longer itineraries). Baggage shall contain only such items to be used for official business and apparel and personal effects needed by the traveler for the journey. Baggage classed as excess baggage by transportation companies shall be similarly classed as excess baggage by the Judicial Branch and generally not reimbursable. When a claim for reimbursement for the excess baggage charge is submitted, an explanation of the official necessity shall be included, and supported by receipts showing the weight of the baggage and points between which it was transported.
- (b) Necessary charges for baggage transfers and/or storage of baggage will be allowed at rates not exceeding the published airline rates for up to two baggage items.

6.6 Promotional Materials and Frequent Flyer Benefits

- (a) Employees may obtain frequent flyer miles, hotel or rental car loyalty points, and similar bonuses arising from official travel for personal use.
- (b) Any travel entitlements received from a commercial travel provider incident to official travel must be obtained under the same conditions as those offered to the general public at no additional cost to the Judicial Branch. Judicial Branch travelers may not selectively travel with a particular carrier or stay at a particular hotel in order to obtain benefits unless it can be demonstrated that the savings to the Judicial Branch from receiving those benefits outweighs the cost of selecting the less expensive option. Travel arrangements should be

made based on the official business need and not the frequent traveler miles or points that may be earned or bonuses that may be received.

- (c) When an airline fails to provide confirmed reserved space and is required to pay liquidated damages to the traveler on official business, such payments must be turned over to the Judicial Branch. In contrast, travelers may retain payments, tickets for future travel, or other awards made by airlines to persons who voluntarily give up their seat when a flight is overbooked. Employees should not voluntarily give up their seats if such will interfere with the timely performance of official duties. An employee may not receive any additional travel reimbursements for additional transportation or per diem expenses incurred as a result of the delay in voluntarily surrendering a seat.

6.7 Combining Personal Travel with Official Government Travel

The Judicial Branch will reimburse an employee only for costs incurred for official travel. If an employee combines personal and official travel, the employee ordinarily should schedule and route the official portion of the trip in a way that is most direct and advantageous to the Judicial Branch. If the official portion of the trip is not scheduled and routed in that way, a written constructive cost analysis must be performed by the employee, analyzed by Budget and Accounting Services and approved by the designated authority before arranging a trip that includes both official and personal travel. The analysis will determine what the cost of the trip would have been had the employee traveled in a manner most cost effective to the Judicial Branch. Supporting documentation in the form of transportation quotes is required. The employee will be limited to reimbursement of the constructive cost of the trip. Expenses in excess of official travel costs will not be paid or reimbursed.

SECTION 7- ALLOWABLE COMMUNICATION EXPENSES

7.1 Allowable Types of Communication Expenses

Telephones, facsimile, internet and e-mail may be used on official business when such means of communication is essential. A copy of the detailed bill showing the name of the person contacted, the cost of the call, the number called and a statement that they were made on official business must accompany the Travel Expense Claim form. Customary and usual charges for local telephone calls imposed by a place of lodging will be allowed up to \$10.00 per day. Cost reimbursement will not be allowed if the traveler has a court issued cell phone.

7.2 Internet Fees and Air Card

If internet service is not available, Internet service fees must not exceed \$20.00 per day, if applicable.

7.3 Long Distance Calls

Where cellular service is not available, long distance calls will be allowed on official business provided that a statement is furnished showing the name of the person called, the

cost of the call, the number called and a statement that they were made on official business. The purchase of long distance calling cards may be authorized by the designated authority on a GTR.

SECTION 8- ALLOWABLE PER DIEM EXPENSE

8.1 Per Diem Amount

Per diem expenses for meals shall be provided as per GSA standard rate based on travel location. The per diem will cover the cost of all meals purchased during the course of authorized overnight travel, including gratuities paid and travel outside the territorial limits of the Virgin Islands. It is the responsibility of the traveler to procure meals within the allotted amount. No additional compensation shall be paid for meals other than as stated. Receipts for per diems are not required.

8.2 Calculation of Per Diem

Per diem entitlement starts on the day you depart your home, office, or other authorized point and ends on the day you return to your home, office or other authorized point. If the purpose of the authorized travel ends on a day that would allow the employee to return to his home, office or other authorized point on the same day or the next day but the employee chooses to extend their travel for personal reasons the per diem shall end on the day the employee could have returned. Per diem or reimbursement for meals are not allowed if an overnight stay is not involved.

8.3 Reduced Per Diem

The designated authority may authorize a reduced per diem rate when reductions in lodging and meal costs are anticipated due to beginning or ending travel times, or when such costs are included or when employee meal costs can be determined in advance and are lower than the prescribed per diem rate.

SECTION 9- TRAVEL NOT REQUIRING AN OVERNIGHT STAY

When travel on official business does not require an overnight stay, payment or reimbursement of travel expenses by the Court shall be limited to the traveler's transportation expenses allowable under Section 6 and communications expenses allowable under Section 7.

SECTION 10- TRAVEL REQUIRING AN OVERNIGHT STAY

10.1 Travel within the Virgin Islands

For travel on official business within the Virgin Islands which requires an overnight stay, hotel arrangements will be made by Budget and Accounting Services with an authorized hotel. If such an arrangement is not possible, in addition to the traveler's transportation expenses allowable under Section 6 and communication expenses allowable under Section

7, the traveler shall receive the actual cost of the hotel room procured at the discounted government rate, if available, including taxes and service charges, plus per diem expenses. Employees traveling on official business will be reimbursed actual costs for local transportation including reasonable tips not to exceed 18%, if transportation by Judicial Branch personnel is unavailable between places of lodging, places of transacting business, and places where meals are taken.

10.2 Travel Outside the Virgin Islands

For travel on official business outside the territorial limits of the Virgin Islands which requires an overnight stay:

(a) Judicial Branch personnel, in addition to the expenses allowable under Section 6 and Section 10, shall receive:

- the actual cost of hotel rooms not to exceed \$250.00 per night;
- current per diem rates
- and actual costs for allowable expenses authorized under Section 1(c) 3 through Section 1(c) 8 unless additional expenses are approved by the Administrator of Courts

(b) All hotel rooms shall be procured at a government discount rate whenever possible or best available rate, whichever is less.

10.3 Employee's Personal Secondary Residence

Reimbursement for any lodging expenses for staying at an employee's personally-owned residence is not allowed.

10.4 Staying with Family and Friends

When an employee does not incur a lodging expense because he or she stays with family or friends, the employee may, if authorized in advance by the designated authority, claim a per diem allowance.

10.5 Travel Expenses for Chief Justice, Presiding Judge Associate Justices, Judges and Magistrates

Due to the nature of the duties and responsibilities of the Chief Justice, Presiding Judge, Associate Justices, Judges and Magistrates whose necessary travel expenses are unusually high because of the nature of their duties, their travel shall be authorized in the amount of their actual travel expenses.

10.6 Travel Expenses for Spouses (Chief Justice, Associate Justices, Presiding Judge, Judges, and Magistrate Judges)

The Chief Justice and the Presiding Judge may use funds to pay for his/her spouse's or domestic partner's travel, room and board, and other incidental or related travel expenses, both inside and outside the territory, when the spouse is accompanying them on official business. With the approval of the Chief Justice, Associate Justices, Judges and Magistrates may use Judicial Branch funds to pay for his/her spouse's travel for similar expenses and reasons.

SECTION 11- ATTENDANCE AT CONFERENCES AND TRAININGS

11.1 Timekeeping for Approved Trainings Relative to Employee's Current Duties

Absence from duty status is chargeable as a leave of absence, except that no such charge shall be made where absence from duty status is for the purpose of attending a conference or training which is approved by the designated authority as being directly related to the employee's work assignment and duties. The time spent at the conference or training will be considered as work time and charged to hours worked in accordance with the Fair Labor Standards Act, Title 29, Part 785 of the Code of Federal Regulations.

11.2 Approved Trainings and Unavailable Funds

When the designated authority has approved the conference or training and determined that no funds are available for such attendance, the employee involved may, with the approval of the designated authority, elect to attend the conference or training at his/her own expense. Under such circumstances, the time spent at the conference, including normal time shall not be chargeable against the employee's accumulated leave but as hours worked.

SECTION 12- ALLOWANCE FOR PRIVATE VEHICLE USE

12.1 Mileage Reimbursement

Pursuant to the provisions of Title 31, Section 161(a), Virgin Islands Code:

- (a) Where Judicial Branch employees are required to use their personally owned motor vehicles in the conduct of official Judicial Branch business which they are responsible for, they shall be reimbursed at the rate per mile currently published by the IRS for mileage reimbursements. Such reimbursement shall be made upon submission of forms prescribed by Budget and Accounting Services indicating applicable odometer readings and such other information as required by Budget and Accounting Services.
- (b) No employee shall be entitled to any reimbursement unless an application therefore shall be submitted by the head of the division, setting forth the justification for the use of the personally owned motor vehicle which shall be approved by the designated authority. Any approval for reimbursement shall expire on September 30th of the fiscal year within which it was given.

12.2 Parking Fees for Official Travel

Judicial officers and Judicial Branch employees shall be reimbursed for parking fees when traveling on official business and when utilizing their private vehicle. Such fees shall not exceed \$15.00 per day. Reimbursement shall be made upon submission of a parking receipt.

SECTION 13-LEAVE WHILE ON AUTHORIZED TRAVEL

When leave of absence of any kind is taken while in travel status, including Sundays and holidays, the exact hour of departure from and return to duty status must be noted. The Leave Request form stating same must be approved and submitted with the reimbursement documents. Employees must use sick leave to cover legitimate illness occurring during attendance at conferences and trainings.

When an employee on official travel is incapacitated by illness or injury that occurs for reasons other than an employee's own misconduct, the authorizing official may authorize the continued payment of per diem to the employee for a period of not more than 14 calendar days. Should the period of illness or injury exceed 14 calendar days, the designated authority may authorize continuation of per diem payments for such longer period as is reasonable under the circumstances. The employee is required to submit a physician's statement to support the claim.

SECTION 14-RETREAT

With the approval of the Chief Justice, the Judicial Branch may conduct a retreat. When the retreat is held outside the official duty station of some or all of the attendees, such employees may be reimbursed their travel and per diem expenses in accordance with these regulations except when meals are provided. When a retreat is held at the official duty station of some or all attendees but not at the Judicial Branch or Court's facility, such employees may be reimbursed the actual costs of meals taken incident to the retreat. Any meals provided will be deducted from the per diem expenses.

SECTION 15- DEATH OF EMPLOYEE WHILE IN TRAVEL STATUS

When, at the time of death, an employee, judge, magistrate or Justice was on official travel outside the official duty station, the Judicial Branch will pay, not to exceed \$5,000, for the following expenses associated with returning the employee's remains to the official duty station:

- Travel expenses in accordance Section 6 and Section 2 (a)1 – (c)10, for one immediate family member for no more than five (5) consecutive calendar days;
- Transportation costs to return the deceased employee's baggage to his/her official duty station or residence. Insurance of or reimbursement for loss or damage to baggage is not allowed;
- Transportation costs for Judicial Branch property;
- All actual costs to return remains to the official duty station including:
 - (a) Preparation of remains:
 - (1) Embalming or cremation;

- (2) A casket or container suitable for shipment;
- (3) Expenses necessary to comply with local laws at the port of entry in the United States; and
- (b) Transportation of remains by common carrier (that is normally used for transportation of remains), hearse, other means, or a combination thereof, from the temporary duty station to the employee's residence, official station, or funeral home, including but not limited to:
 - (1) Movement from place of death to a mortuary;
 - (2) Shipping permits;
 - (3) Outside case for shipment and sealing of the case if necessary;
 - (4) Removal to and from the common carrier; and
 - (5) Ferry fares, bridge tolls, and similar charges.

Costs for an outside case are not authorized for transportation by hearse. Costs for transportation by hearse or other means must be reasonable and cannot exceed the cost of common carrier (that is normally used for transportation of remains).

SECTION 16- DISCONTINUED TRAVEL FOR PERSONAL REASONS

When an employee must discontinue official travel due to a personal emergency, such as death or injury to a family member, fire, flood or other act of God at the employee's residence, the designated authority may authorize appropriate expense of transportation and per diem for return to the traveler's official station. If the employee must travel to an alternate location to deal with an emergency, the designated authority may authorize transportation and per diem to the alternate location, followed by return travel either to the temporary duty station or official duty station as is most appropriate under the circumstances. The amount of transportation and per diem reimbursable in connection with travel to and from an alternate location may not exceed the amount of reimbursable expenses that were authorized for the original travel. The reasons for the authorization to return to the official station or to travel to an alternate location must be documented on the Travel Expense Claim form.

SECTION 17-THREATENED JUDICIAL OFFICERS OR EMPLOYEES

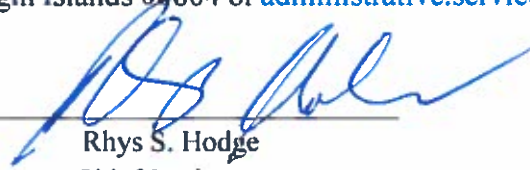
In order to protect a judicial officer or employee or law enforcement/investigative employee employed in the Judicial Branch and his/her immediate family when their lives are placed in jeopardy as a result of the employee's assigned duties, the Court may authorize lodging, subsistence and/or transportation expenses based on the nature of the threat. Expenses must not exceed the maximum allowable amount based on the locality. Subsistence expenses up to 60 days are allowed unless the Administrator determines an extension is justified. Transportation expenses may be authorized to transport the employee and their immediate family to/from a temporary location within or outside the official duty station as determined by the Administrator. Receipts and any other documentation is required unless the Chief Justice waives the requirements when it might compromise the security of the individuals involved.

SECTION 18-ADMINISTRATION

Administration of these Travel Regulations is the responsibility of the Budget and Accounting Services, and as such, subject to the approval of the Chief Justice or Administrator, administrative directives, may be issued by the Chief Financial Officer as required.

SECTION 19-QUESTIONS

This Regulation establishes guidelines for travel, but does not attempt to address every potential issue. Questions concerning this policy should be directed to the Administrator of Courts at P. O. Box 590, St. Thomas, U.S. Virgin Islands 00804 or administrative.services@vicourts.org.



Rhys S. Hodge
Chief Justice